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concl.

39. The receiver according to claim 26, characterized in that the means for determining include a control unit (23) for receiving a transport format indicator indicating the spreading factor and/or the FEC code rate.

40. The receiver according to claim 26, characterized in that said transmitter is embodied as a mobile station. --

### REMARKS

The present Preliminary Amendment is submitted to delete the multiple dependencies in the original claims, thereby placing such claims in condition for examination and reducing the required PTO filing fee.

Respectfully submitted,

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